

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**MARCH 2024 GRAND JURY
(Impaneled 03/22/2024)**

THE UNITED STATES OF AMERICA

-vs-

MATTHEW A. STEELE

INDICTMENT

Violations:

Title 18, United States Code, Sections
2251(a), 2251(e), 2252A(a)(2)(A), and
2252A(a)(5)(B)
(10 Counts and Forfeiture Allegation)

COUNT 1

(Production of Child Pornography)

The Grand Jury Charges That:

Between in or about July 2008, and in or about July 2010, the exact date being unknown to the Grand Jury, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did employ, use, persuade, induce, entice, and coerce, and did attempt to employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, that is, a file titled "Daughter Abby 11Yo . . . Naked Shower Pthc.jpg", knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and where such visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by

computer, and which visual depiction was actually transmitted and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 2

(Production of Child Pornography)

The Grand Jury Further Charges That:

Between in or about July 2010, and in or about July 2012, the exact date being unknown to the Grand Jury, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did employ, use, persuade, induce, entice, and coerce, and did attempt to employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, that is, a file titled “[0] Daughter Abby 12Yo Naked Shower . . . Pthc.jpg”, knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and where such visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was actually transmitted and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 3

(Production of Child Pornography)

The Grand Jury Further Charges That:

Between in or about July 2010, and in or about July 2012, the exact date being unknown to the Grand Jury, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did employ, use, persuade, induce, entice, and coerce, and did attempt to employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, that is, a file titled “8568d118be7282737. . . .jpg”, knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and where such visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was actually transmitted and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 4

(Production of Child Pornography)

The Grand Jury Further Charges That:

Between in or about July 2010, and in or about July 2012, the exact date being unknown to the Grand Jury, in the Western District of New York, the defendant,

MATTHEW A. STEELE, did employ, use, persuade, induce, entice, and coerce, and did attempt to employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, that is, a file titled “. . .bd6bd33f9feb.bmp”, knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and where such visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was actually transmitted and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 5

(Production of Child Pornography)

The Grand Jury Further Charges That:

Between in or about July 2010, and in or about July 2012, the exact date being unknown to the Grand Jury, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did employ, use, persuade, induce, entice, and coerce, and did attempt to employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, that is, a file with a hash value “8A42DEE5D469B846976ED256C. . . .”, knowing and having reason to know that the visual

depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and where such visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was actually transmitted and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 6

(Distribution of Child Pornography)

The Grand Jury Further Charges That:

On or before January 25, 2023, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, **MATTHEW A. STEELE**, did knowingly distribute, and attempt to distribute, child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, a file titled “Daughter Abby 11Yo . . . Naked Shower Pthc.jpg”, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).

COUNT 7

(Distribution of Child Pornography)

The Grand Jury Further Charges That:

On or before January 25, 2023, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, **MATTHEW A. STEELE**, did knowingly distribute, and attempt to distribute, child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, a file titled “[0] Daughter Abby 12Yo Naked Shower . . . Pthc.jpg”, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).

COUNT 8

(Distribution of Child Pornography)

The Grand Jury Further Charges That:

On or before January 25, 2023, the exact date being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, **MATTHEW A. STEELE**, did knowingly distribute, and attempt to distribute, child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, a file titled “8568d118be7282737. . . .jpg”, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).

COUNT 9

(Possession of Child Pornography)

The Grand Jury Further Charges That:

On or about March 11, 2024, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did knowingly possess material, that is, a Western Digital Protégé WD 400 Hard Drive, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, sexually explicit images of a prepubescent minor and a minor who had not attained 12 years of age, that had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 10

(Possession of Child Pornography)

The Grand Jury Further Charges That:

On or about March 11, 2024, in the Western District of New York, the defendant, **MATTHEW A. STEELE**, did knowingly possess material, that is, a Western Digital Protégé

WD 800 Hard Drive, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, sexually explicit images of a prepubescent minor and a minor who had not attained 12 years of age, that had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of any count of this Indictment, the defendant, MATTHEW A. STEELE, shall forfeit to the United States, all his right, title, and interest in any property which contains a visual depiction of child pornography which was produced, transported, mailed, shipped, or received, and any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including but not limited to the following:

REAL PROPERTY:

- a. The premises and real property with its buildings, improvements, fixtures, attachments, and easements, known as 2160 Bullis Road, Elma, New York 14059; that is, all that tract or parcel of land, situate in the Town of Elma,

County of Erie and State of New York and more particularly described in a certain deed dated December 9, 2022 and recorded in Liber Book 11021, of deeds at page 9414, of the Erie County Clerk's Office.

ELECTRONIC EQUIPMENT:

- a. One (1) Olympus Camera E-500, Serial # A78505599, with SD card, seized on or about March 11, 2024 from the defendant's residence;
- b. One (1) Olympus lens 40-150, Serial # 136103223, seized on or about March 11, 2024 from the defendant's residence;
- c. One (1) Western Digital Protégé WD 400 Hard Drive, Model: WD40 0EB-11CP, Serial #: WCAATH624177, Memory Size: 40GB, seized on or about March 11, 2024 from the defendant's residence; and
- d. One (1) Western Digital Protégé WD 800 Hard Drive, Model: WD80 0EB-00DJ, Serial #: WCAHL3130898, Memory Size: 80GB, seized on or about March 11, 2024 from the defendant's residence.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence,
- (b) has been transferred or sold to, or deposited with, a third person,
- (c) has been placed beyond the jurisdiction of the Court,
- (d) has been substantially diminished in value, or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

All pursuant to Title 18, United States Code, Sections 2253(a)(1), 2253(a)(3), and 2253(b), and Title 21, United States Code, Section 853(p).

DATED: Buffalo, New York, August 22, 2024.

TRINI E. ROSS
United States Attorney

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A TRUE BILL:

S/FOREPERSON
FOREPERSON